

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 19, 2009

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **Consent** ☒ **Discussion****SUBJECT:**

Discussion and possible action regarding complaint seeking disciplinary action against SNICK'S PLACE, INC., dba SNICK'S PLACE ("SNICK'S PLACE"); and DOMINICK RALPH VITALE ("VITALE"), 1402 South Third Street, Las Vegas, Clark County, Nevada, for violations of the Las Vegas Municipal Code -- Ward 3 (Reese)

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

Dominick Vitale, dba Snick's Place, holds a Tavern License License No. L16-00134-4-000843; a Restricted Gaming License No. G01-00410-4-000843; a Convention Hall Gaming Tax License No. C20-00410-7-000843; a Coin Amusement Machine License No. C08-01083-2-000843.. He has operated the business as a nuisance by permitting repeated acts of sexual intercourse and other sexual related conduct to occur at his business, an establishment open to the public. The Respondent has admitted the violations in proceedings before the Nevada Gaming Commission entering into a stipulated agreement and order suspending the license and paying a \$50,000.00 fine to the State of Nevada.

RECOMMENDATION:

That the City Council issue the Complaint for Disciplinary Action and set a date and time certain for hearing no later than 60 days from the date of approval of the complaint.

BACKUP DOCUMENTATION:

1. Complaint for Disciplinary Action
2. Submitted after Meeting – Order Approving Complaint and Notice of Hearing and Order Approving Complaint and Amended Notice of Hearing

Motion made by GARY REESE to Approve the Complaint and schedule the hearing for the 9/21/2009 Special City Council meeting at 1:00 p.m.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

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Minutes:

DEPUTY CITY ATTORNEY JIM ERBECK stated that a Complaint for Disciplinary Action had been drafted in response to a request by the Business Services Division. He requested that the Council accept the Complaint for Disciplinary Action and set the hearing date not less than 30 days or more than 60 days from August 19, 2009, and order that the Complaint be served on the licensee.

COUNCILMAN WOLFSON observed that the alleged misconduct in the complaint filed by Nevada Gaming Commission (Gaming Control) had taken place approximately 18 months before the Council was notified and stated the Council should have been made aware of these activities. COUNCILMAN REESE concurred.

CITY ATTORNEY BRAD JERBIC explained that the decision had been made to wait for settlement between the licensee and Gaming Control. This will allow the City to obtain and use a consistent record without having to worry about potentially inconsistent results. He noted that the business was still open and operating as the stipulation between the licensee and Gaming Control did not result in a closure. JIM DiFIORE, Business Services Manager, stated that the City received notification in March 2009. He explained that the Gaming Control had not informed the City or Las Vegas Metropolitan Police Department, Special Investigations, of these activities.

MAYOR GOODMAN encouraged MR. DiFIORE and CITY ATTORNEY JERBIC to work with other agencies to ensure other agencies keep the City informed of illegal activities within the City limits.

Under Item 101, COUNCILMAN REESE asked that the Special Council Meeting scheduled for 9/21/2009 be changed to 1:00 p.m. CITY CLERK BEVERLY BRIDGES stated she would send an email to each Council member to confirm the change. ASSISTANT CITY ATTORNEY BRYAN SCOTT commented that a public hearing notice will be mailed out as well.